

# HOUSE . . . . . No. 2634

By Ms. Polito of Shrewsbury, petition of Karyn E. Polito and Shirley Gomes for an investigation by a special commission (including members of the House) relative to long term custodial care options for cognitively intact, physically disabled adults. Public Health.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

RESOLVE RELATIVE TO THE STUDY OF LONG TERM CUSTODIAL CARE  
OPTIONS FOR COGNITIVELY INTACT, PHYSICALLY DISABLED YOUNG  
ADULTS BETWEEN AGES 19 AND 59.

1     *Resolved*, There is hereby established a special commission to  
2 evaluate the current status, adequacy, and availability of longterm  
3 care residential services, facilities, and programs for cognitively  
4 intact adults between the ages of 19 and 59 years of age, with pro-  
5 gressive and severe, chronic and physically disabling conditions  
6 in Massachusetts. The commission will study the long term care  
7 needs of said adults to determine what specialized services, staff  
8 trainings, and expertise are needed to serve their psycho-social  
9 and medical needs. The commission will also evaluate what  
10 capacity in existing facilities must be preserved and adjusted to  
11 meet the demand for 24 hour custodial care and treatment of this  
12 population of cognitively intact, physically disabled adults  
13 between the ages of 19 and 59.

14     Said commission shall collect and review data from the Massa-  
15 chusetts office on disability, the department of public health office  
16 on health and disability, the division of medical assistance, as well  
17 as any other state or quasi state agency or department with rele-  
18 vant information, to assist in the evaluation of waiting lists,  
19 number of severe or progressively disabled adults, the population  
20 frequency of disability by type and location, the profile of dis-  
21 abled adults in each facility offering specialized services, the loca-  
22 tion of said facilities, and plans for expansion or closure of  
23 facilities offering specialized services for cognitively intact, adults  
24 between the ages of 19 and 59 with progressive or severe physi-

25 cally disabling conditions. The commission will also examine  
26 non-confidential data from private local agencies and non-profit  
27 organizations serving said population, to determine the needs both  
28 met, unmet, and statistically anticipated of cognitively intact,  
29 adults between the ages of 19 and 59, with severe and progres-  
30 sively disabling conditions and diseases.

31 The special commission will assess and calculate the fiscal  
32 impact of meeting the residential, psychosocial, and physical  
33 dependency needs of this target population of cognitively intact  
34 adults between the ages of 19 and 59 with progressive and severe  
35 disabilities, including but not limited to a review of: the current  
36 status and accounting of available beds or units within existing  
37 facilities, existence of public or private facilities/homes serving  
38 this population, determination of whether and how hospital units  
39 should be restructured or retrofitted to accommodate this targeted  
40 population, review of the appropriateness of the services offered  
41 in said units dedicated to serving the targeted population, exami-  
42 nation of the state and federal regulations governing long term  
43 care facilities including availability of respite beds for target pop-  
44 ulation, and evaluation of options for affordability.

45 Said special commission shall consist of 10 members: two  
46 members of the house of representatives, one of whom shall be  
47 the house chair of the joint committee on health care or designee,  
48 one of whom shall be appointed by the minority leader of the  
49 house of representatives; two members of the senate, one of whom  
50 shall be the senate chair of the senate committee on health care or  
51 designee, and one of whom shall be appointed by the minority  
52 leader of the senate. The governor of the Commonwealth of  
53 Massachusetts shall appoint the secretary of health and human  
54 services, or designee; one adult between the ages of 19 and 59  
55 with a progressive or severe, chronic or physically disabling con-  
56 dition; director of the Massachusetts office on disability or  
57 designee; commissioner of the department of public health or a  
58 designee from the office on health and disability; commissioner of  
59 the division of medical assistance or designee; and one member of  
60 the olmsted advisory group.

61 Said commission shall be co-chaired by one member of the  
62 house and one member of the senate to be appointed respectively  
63 by the speaker of the house and the president of the Senate. Said

64 commission may hold public hearings to assist in the collection  
65 and evaluation of data and testimony from family members, care-  
66 givers, facilities, and other state offices, as well as other sources  
67 of information. The commission shall conclude said evaluation on  
68 or before September 30, 2003 by filing the results thereof with the  
69 clerks of the house and senate, the house and senate committees  
70 on ways and means and the joint committee on health care.

71 Said report shall include recommendations for securing services  
72 facility based custodial care for cognitively intact adults between  
73 the ages of 19 and 59, with progressive or severe physical disabil-  
74 ities, the cost of maintaining or establishing said facilities, and  
75 any legislation necessary to implement or allow for the mainte-  
76 nance, retrofitting, renovation, or construction of facilities for the  
77 targeted population.